

**Office of City Manager**

January 19, 2001

Jim Christiansen
Remedial Project Manager
U. S. Environmental Protection Agency
999 18th Street Suite 300
Denver, Co. 80202- 2466

Steven Thiriot
Utah Department of Environmental Quality
Division of Environmental Response and Remediation
P.O. Box 144840
Salt Lake City, Ut. 84114- 4840

Re: Park City's Response to the November 20, 2000 Letter from US EPA and UDEQ
Regarding the Proposed Soils Ordinance Work Group.

Dear Mr. Christiansen and Mr. Thiriot,

Park City Municipal Corporation appreciates this opportunity to respond to the jointly-signed letter from US EPA and UDEQ regarding the proposed Soils Ordinance Work Group. Park City takes its responsibilities for implementing the Ordinance very seriously, and, as previously stated in our correspondences and meetings, the City administration is committed to constructively working with both regulatory agencies to address issues and concerns about the Ordinance. In that spirit, Park City is tentatively prepared to take the lead in moving forward with the formation of a local, community-based work group as proposed by the agencies. The City still has a number of unanswered questions (outlined below) about the process, however, notwithstanding those uncertainties, Park City is hereby proposing to hold the first meeting of the work group as soon as Wednesday, January 31, 2001. If it is not possible to notify the necessary parties and coordinate the logistics for such a meeting by that date, Park City stands ready to schedule the first meeting at a more mutually agreeable time.

In order to proceed in an effective manner, Park City has identified the following items for further discussion:

Participants: US EPA and UDEQ have asked Park City to prepare a list of potential stakeholders who might be interested in participating in the work group. Park City proposes to follow the format previously used by US EPA for forming the Upper Silver

Creek Stakeholders Group as a model for the formation of this new work group. Specifically, Park City, US EPA, and UDEQ should agree to an initial core group of participants for the first meeting. Then, through a process of public noticing, advertising, community out-reach and core-group consensus, additional members can be added as necessary after the initial core group wrestles with the issues of purpose, scope and timing. Park City suggests the following people for possible inclusion in the initial core group:

| | |
|------------------|---|
| Jim Christiansen | US EPA |
| Steven Thiriot | UDEQ |
| Toby Ross | Park City |
| Paul Lammers | Park City |
| John Knudsen | Utah State Parks (rail-trail) |
| Dana Williams | Citizens Allied for Responsible Growth |
| Sally Elliott | Prospector Park Homeowners Association |
| Dave Johnson | Attorney, Board of Realtors |
| Kerry Gee | United Park City Mines Co. |
| Brent Ovard | Summit County Health Dept |
| Appointment | Mountainlands Community Housing (renters) |
| Appointment | Prospector Square Owners Association (commercial/retail) |

Process: The first meeting of the initial core soils work group is proposed for Wednesday, January 31, 2001, from 8:30 A.M. until 12:00 P.M. The topics of discussion for the first meeting should center on the purpose, objectives, scope and timing for the group. The group should specifically consider the geographical boundaries for the group's work and discuss timing issues for accomplishing its goals. If time permits, the group can move on to discuss how it plans to meet its purpose and objectives. Particular focus should be directed to determine how the group will accomplish necessary fact-finding. After the goals and purposes of the group have been set, a public meeting can then be scheduled for two basic purposes-to give the general public information about the work group, and to solicit additional concerned citizen members. In order to schedule a meeting for January 31, we will need to notify participants by early next week. Let us know immediately if we should proceed. If we can't make this meeting date, we should probably coordinate the meeting with the next meeting of the Stakeholders Group.

Outstanding Questions/Concerns: After reading the jointly-signed letter from US EPA and UDEQ, Park City still has a number of questions and concerns regarding this matter. Specifically:

1. On page three (3) of the letter, reference is made to "archiving the site" from the CERCLIS data base. Can you outline the specific steps required to achieve this status in the Prospector neighborhoods?
2. On page four (4) of the letter, reference is made to the public process employed at

the Smuggler Mine in Aspen, Colorado as a model for Park City to look to for resolving mining related lead contamination in residential neighborhoods. Could you provide the names and contact numbers of EPA officials, city officials, and members of the external advisory panel who worked on the program in Aspen?

3. On page eight (8) of the letter, reference is made to conducting a well designed blood-lead level study in Park City. Can you identify and provide the specific study protocol the agencies would want to use in Park City?
4. On page eight (8) of the letter, reference is made to collecting field data in the Soils District. Can you specifically identify the data the agencies want to gather and the testing protocols the agencies want to use to gather the field data?
5. On page eight (8) of the letter, reference is made to use of an "approved EPA lead risk assessment model." Can you provide specific information about which model the agencies would wish to use in Park City?

As set forth above, Park City is prepared to proceed with US EPA and UDEQ on beginning an assessment of the Soils Ordinance. Park City is proceeding in part because of your assurance that Park City will have a "great deal of discretion" in organizing the Soils Ordinance Work Group and working with the facilitator. We still have significant concerns and uncertainties about the process but are eager to explore how we can work with both agencies to assess the situation and resolve issues for the Prospector neighborhoods.

Two additional bits of information that you will want to know. Roger Harlan will replace Fred Jones on the Stakeholders Group and United Park City Mining Company has terminated its relationship with DMB for the development of Flagstaff and Bonanza.

Sincerely,



Toby Ross
City Manager

cc: Michele Straube

Silver Creek Stakeholder Process
Prospector Square Soils Work Group
First Meeting - Wed, 1/31/01

DRAFT AGENDA

Invited to Attend:

Jim Christiansen, EPA
Mo Slam, UDEQ
Ty Howard, UDEQ (Note: Mo and Ty will have to decide which one will attend future meetings)
Toby Ross, Park City
Paul Lammers, Park City
Sally Elliott, Prospector Park Homeowners Association
Suzanne Lewis, PPHA (Note: we probably only need one PPHA representative;
Maybe Sally and Suzanne should decide this)
Dave Johnson, Board of Realtors
Brent Ovard, Summit County Health (coming ??)
Representative, Mountainlands Community Housing Trust
Representative, Prospector Square Owners Association (coming ??)
Michele Straube, facilitator

- 8:30 - 8:45 **Introductions**
- 8:45 - 9:00 (5 min) Brief Background of Stakeholder Process (Jim Christiansen)
 (10 min) Brief Background of Soils Issues (Toby Ross or Paul Lammers, with
 additions by EPA or UDEQ)
- 9:00 - 11:00 **Exploration of Purpose, Goals and Objectives of Work Group**
 - geographical boundaries of work group's focus
 - ultimate goals and objectives
 - issues that may have to be addressed
 - priorities/ strategies to address issues
 - timing issues
- Take Break at convenient point**
- 11:00 - 11:30 **Identification of Existing Relevant Information**
 Background Information for Work Group Members New to Process
- 11:30 - 11:50 **Make-up of Work Group**
 Strategies for Public Notification and Outreach
- 11:50 - 12:00 **Next Meeting - Time and Agenda**

Silver Creek Stakeholder Process

Prospector Square Soils Work Group First Meeting - Wed, 1/31/01

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*(Historical
Stakeholders
Issue Sheet
Workgroup Formation
Letters w/ PCMC*

Paul/Toby Shelly Weiss - re-hls
Sally
Suzanne Evans
Mo, TJ
Dave Kline
Cath
Dave Johnson
Dean Barrett - Pros prop - commercial
Mike O'hara
Brent Overd